REMARKS

Entry of this preliminary amendment is respectfully requested.

This application is a divisional of copending application no. 09/420,347. Claims 3-6, 8-15, 17, 19-22, 25, 34, 35, 37-42 and 45-49 have been cancelled without prejudice or disclaimer. Claims 1, 2, 7, 16, 18, 23, 24, 26-33, 36, and 43-44 are amended to remove nonelected subject matter and to correct multiple dependencies. Claims 50-54 have been added. New claims 50-54 rewrite original claims 37, 41, and subject matter cancelled from pending claim 44. Claims 1, 2, 7, 16, 18, 23, 24, 26-33, 36, 43-44, and 50-54 are based on the corresponding claims as originally filed in the parent application and are directed to the subject matter of **Group V** which has not elected in the parent application. No new matter is added.

Accordingly, claims 1, 2, 7, 16, 18, 23, 24, 26-33, 36, 43-44, and 50-54 are pending and at issue in this application.

It is believed that the claims are in condition for allowance, and a determination to that effect is earnestly solicited. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

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Respectfully submitted,

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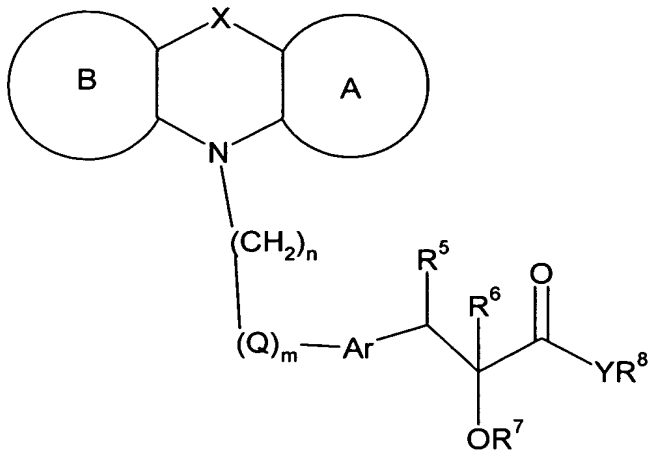
MARKED-UP VERSION OF THE CLAIMS SHOWING AMENDMENTS MADE

1. (Amended) A compound of formula (Ia)



(Ia)

wherein ring A_1 fused to the ring containing X and N_1 represents a 5-6 membered cyclic ring[,] optionally substituted with one or more halogen, perhalomethyl, hydroxy, nitro, cyano, formyl, or C_{1-12}alkyl, C_{4-12}-alkenynyl, C_{2-12}-alkenyl, C_{2-12}-alkynyl, C_{1-12}alkoxy, aryl, aryloxy, aralkyl, aralkoxy, heterocyclyl, heteroaryl, heteroaralkyl, heteroaryloxy, heteroaralkoxy, acyl, acyloxy, hydroxyC_{1-12}alkyl, amino, acylamino, C_{1-12}alkyl-amino, arylamino, aralkylamino, aminoC_{1-12}alkyl, C_{1-12}alkoxycarbonyl, aryloxycarbonyl, aralkoxycarbonyl, C_{1-12}alkoxyC_{1-12}alkyl, aryloxyC_{1-12}alkyl, aralkoxyC_{1-12}alkyl, C_{1-12}alkylthio, thioC_{1-12}alkyl, C_{1-12}alkoxycarbonylamino, aryloxycarbonylamino, aralkoxycarbonylamino, $-COR^{11}$, or $-SO_2R^{12}$, wherein R^{11} and R^{12} independently of each other are selected from hydroxy, halogen, perhalomethyl, C_{1-6}alkoxy or amino optionally substituted with one or more C_{1-6}alkyl, perhalomethyl or aryl; optionally substituted with one or more halogen, perhalomethyl, hydroxy, nitro or cyano;

ring B_1 fused to the ring containing X and N_1 represents a 5-6 membered cyclic ring[,] optionally substituted with one or more halogen, perhalomethyl, hydroxy, nitro, cyano, formyl, or C_{1-12}alkyl, C_{4-12}-alkenynyl, C_{2-12}-alkenyl, C_{2-12}-alkynyl,

C_{1-12}alkoxy, aryl, aryloxy, aralkyl, aralkoxy, heterocyclyl, heteroaryl, heteroaralkyl, heteroaryloxy, heteroaralkoxy, acyl, acyloxy, hydroxyC_{1-12}alkyl, amino, acylamino, C_{1-12}alkyl-amino, arylamino, aralkylamino, aminoC_{1-12}alkyl, C_{1-12}alkoxycarbonyl, aryloxycarbonyl, aralkoxycarbonyl, C_{1-12}alkoxyC_{1-12}alkyl, aryloxyC_{1-12}alkyl, aralkoxyC_{1-12}alkyl, C_{1-12}alkylthio, thioC_{1-12}alkyl, C_{1-12}alkoxycarbonylamino, aryloxycarbonylamino, aralkoxycarbonylamino, $-COR^{11}$, or $-SO_2R^{12}$, wherein R^{11} and R^{12} independently of each other are selected from hydroxy, halogen, perhalomethyl, C_{1-6}alkoxy or amino optionally substituted with one or more C_{1-6}alkyl, perhalomethyl or aryl; optionally substituted with one or more halogen, perhalomethyl, hydroxy, nitro or cyano;

X is [a valence bond, $-(CHR^9)-$, $-(CHR^9)-CH_2-$, $-CH=CH-$, $-O-$,] $-O-(CHR^9)-$, $-S-(CHR^9)-$, $-(NR^9)-CH_2-$, [$-(CHR^9)-CH=CH-$, $-(CHR^9)-CH_2-CH_2-$, $-(C=O)-$, $-O-CH_2-O-$, $-(NR^9)-$, $-(NR^9)-S(O_2)-$, $-CH=(CR^9)-$, $-(CO)-(CHR^9)-$,] $-CH_2-(SO)-$, [-S-, -(SO)-, $-(SO_2)-$,] $-CH_2-(SO_2)-$, $-CH_2-O-CH_2-$, wherein R^9 is hydrogen, halogen, hydroxy, nitro, cyano, formyl, C_{1-12}alkyl, C_{1-12}alkoxy, aryl, aryloxy, aralkyl, aralkoxy, heterocyclyl, heteroaryl, heteroaralkyl, heteroaryloxy, heteroaralkoxy, acyl, acyloxy, hydroxyalkyl, amino, acylamino, C_{1-12}alkyl-amino, arylamino, aralkylamino, aminoC_{1-12}alkyl, C_{1-12}alkoxycarbonyl, aryloxycarbonyl, aralkoxycarbonyl, C_{1-12}alkoxyC_{1-12}alkyl, aryloxyC_{1-12}alkyl, aralkoxyC_{1-12}alkyl, C_{1-12}alkylthio, thioC_{1-12}alkyl, C_{1-12}alkoxycarbonylamino, aryloxycarbonylamino, aralkoxycarbonylamino, $-COR^{11}$, or $-SO_2R^{12}$, wherein R^{11} and R^{12} independently of each other are selected from hydroxy, halogen, C_{1-6}alkoxy, amino optionally substituted with one or more C_{1-6}alkyl, perhalomethyl or aryl;

Q is -O-, -S-, $>SO_2$, $>NR^{13}$, wherein R^{13} is hydrogen or C_{1-6}alkyl,

Ar represents arylene, heteroarylene, or a divalent heterocyclic group optionally substituted with one or more C_{1-6}alkyl or aryl;

R^5 represents hydrogen, hydroxy, halogen, C_{1-12}alkoxy, C_{1-12}alkyl, C_{4-12}-alkenynyl,

C_{2-12}-alkenyl, C_{2-12}-alkynyl or aralkyl; optionally substituted with one or more halogen, perhalomethyl, hydroxy, nitro or cyano; or R^5 forms a bond together with R^6,

R^6 represents hydrogen, hydroxy, halogen, C_{1-12}alkoxy, C_{1-12}alkyl, C_{4-12}-alkenynyl, C_{2-12}-alkenyl, C_{2-12}-alkynyl, acyl or aralkyl; optionally substituted with one or more halogen, perhalomethyl, hydroxy, nitro or cyano; or R^6 forms a bond together with R^5,

R^7 represents hydrogen, C_{1-12}alkyl, C_{4-12}-alkenynyl, C_{2-12}-alkenyl, C_{2-12}-alkynyl, aryl, aralkyl, C_{1-12}alkoxyC_{1-12}alkyl, C_{1-12}alkoxycarbonyl, aryloxycarbonyl, C_{1-12}alkylaminocarbonyl, arylaminocarbonyl, acyl, heterocyclyl, heteroaryl or heteroaralkyl groups[;], optionally substituted with one or more halogen, perhalomethyl, hydroxy, nitro or cyano;

R^8 represents hydrogen, C_{1-12}alkyl, C_{4-12}-alkenynyl, C_{2-12}-alkenyl, C_{2-12}-alkynyl, aryl, aralkyl, heterocyclyl, heteroaryl or heteroaralkyl groups; optionally substituted with one or more halogen, perhalomethyl, hydroxy, nitro or cyano;

Y represents oxygen, sulphur or NR^{10}, where R^{10} represents hydrogen, C_{1-12}alkyl, aryl, hydroxyC_{1-12}alkyl or aralkyl groups or when Y is NR^{10}, R^8 and R^{10} may form a 5 or 6 membered nitrogen containing ring, optionally substituted with one or more C_{1-6}alkyl;

n is an integer ranging from 1 to 4 and m is an integer ranging from 0 to 1[, provided that A or B does not represent phenyl;
or a pharmaceutically acceptable salt thereof.

2. (Amended) [A] <u>The</u> compound according to claim 1, wherein ring A, fused to the ring containing X and N, represents a 5-6 membered cyclic ring[,] optionally substituted with one or more hydrogen, halogen, perhalomethyl, hydroxy, cyano, or C_{1-7}alkyl, C_{4-7}-alkenynyl, C_{2-7}-alkenyl, C_{2-7}-alkynyl, C_{1-7}alkoxy, aryl, aryloxy, aralkyl, aralkoxy, heterocyclyl, heteroaryl, heteroaralkyl, heteroaryloxy, heteroaralkoxy, acyl, acyloxy, hydroxyC_{1-7}alkyl, amino, acylamino, C_{1-7}alkylamino, arylamino, aralkylamino, aminoC_{1-7}alkyl, C_{1-7}alkoxyC_{1-7}alkyl, aryloxyC_{1-7}alkyl, aralkoxyC_{1-7}alkyl, C_{1-7}alkylthio, thioC_{1-7}alkyl, C_{1-7}alkoxycarbonylamino,

aryloxycarbonylamino, aralkoxycarbonylamino, -COR^{11}, or -SO_2R^{12}, wherein R^{11} and R^{12} independently of each other are selected from hydroxy, perhalomethyl or amino optionally substituted with one or more C_{1-6}alkyl, perhalomethyl or aryl; optionally substituted with one or more halogen, perhalomethyl, hydroxy or cyano.

7. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1, wherein ring B_1 fused to the ring containing X and N_1 represents a 5-6 membered cyclic ring[,] optionally substituted with one or more hydrogen, halogen, perhalomethyl, hydroxy, cyano, or C_{1-7}alkyl, C_{4-7}-alkenynyl, C_{2-7}-alkenyl, C_{2-7}-alkynyl, C_{1-7}alkoxy, aryl, aryloxy, aralkyl, aralkoxy, heterocyclyl, heteroaryl, heteroaralkyl, heteroaryloxy, heteroaralkoxy, acyl, acyloxy, hydroxyC_{1-7}alkyl, amino, acylamino, C_{1-7}alkyl-amino, arylamino, aralkylamino, aminoC_{1-7}alkyl, C_{1-7}alkoxyC_{1-7}alkyl, aryloxyC_{1-7}alkyl, aralkoxyC_{1-7}alkyl, C_{1-7}alkylthio, thioC_{1-7}alkyl, C_{1-7}alkoxycarbonylamino, aryloxycarbonylamino, aralkoxycarbonylamino, -COR^{11}, or -SO_2R^{12}, wherein R^{11} and R^{12} independently of each other are selected from hydroxy, perhalomethyl or amino optionally substituted with one or more C_{1-6}alkyl, perhalomethyl or aryl; optionally substituted with one or more halogen, perhalomethyl, hydroxy or cyano.

16. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein Q is -O- or -S-.

18. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein Ar represents arylene, heteroarylene, or a divalent heterocyclic group optionally substituted with one or more C_{1-6}alkyl or aryl;
R^5 represents hydrogen, hydroxy, halogen, C_{1-7}alkoxy, C_{1-7}alkyl, C_{4-7}-alkenynyl, C_{2-7}-alkenyl, C_{2-7}-alkynyl; or R^5 forms a bond together with R^6,
R^6 represents hydrogen, hydroxy, halogen, C_{1-7}alkoxy, C_{1-7}alkyl, C_{4-7}-alkenynyl, C_{2-7}-alkenyl, C_{2-7}-alkynyl; or R^6 forms a bond together with R^5,
R^7 represents hydrogen, C_{1-7}alkyl, C_{4-7}-alkenynyl, C_{2-7}-alkenyl, C_{2-7}-alkynyl, aryl, aralkyl, C_{1-7}alkoxyC_{1-7}alkyl, C_{1-7}alkoxycarbonyl, aryloxycarbonyl, C_{1-7}alkylaminocarbonyl, arylaminocarbonyl, acyl, heterocyclyl, heteroaryl or heteroaralkyl groups;

R^8 represents hydrogen, C_{1-7}alkyl, C_{4-7}-alkenynyl, C_{2-7}-alkenyl, C_{2-7}-alkynyl, aryl, aralkyl, heterocyclyl, heteroaryl or heteroaralkyl;
Y represents oxygen, sulphur or NR^{10}, where R^{10} represents hydrogen, C_{1-7}alkyl, hydroxyC_{1-7}alkyl;
n is an integer ranging from 2 to 3 and m is an integer ranging from 0 to 1.

23. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein A is 5 membered cyclic ring containing S.

24. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein B is 5 membered cyclic ring containing S.

26. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein n is 2.

27. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein Q is -O-.

28. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein m is 1.

29. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein Ar is phenylene.
[In another preferred embodiment, the present invention is concerned with compounds of formula I wherein R^5 is H.]

30. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein R^6 is H.

31. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein R^7 is ethyl.

32. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein Y is oxygen.

33. (Amended) [A] The compound according to [anyone of the preceding claims] claim 1 wherein R^8 is H.

36. (Amended) A pharmaceutical composition comprising[,] as an active ingredient, [a] the compound according to [any one of the preceding compound claims] claim 1 or a pharmaceutically acceptable salt thereof together with a pharmaceutically acceptable carrier or diluent.

43. (Amended) A method for the treatment [and/or prevention] of conditions mediated by nuclear receptors, in particular the Peroxisome Proliferator-Activated Receptors (PPAR), the method comprising administering to a subject in need thereof an effective amount of [a] the compound according to [any one of the preceding compound claims] claim 1 or a pharmaceutically acceptable salt thereof[, or of a composition according to anyone of the preceding claims 36-41].

44. (Amended) A method for the treatment [and/or prevention] of diabetes [and/or obesity], the method comprising administering to a subject in need thereof an effective amount of [a] the compound according to [anyone of the preceding compound claims] claim 1 or a pharmaceutically acceptable salt thereof[, or of a composition according to anyone of the preceding claims 36-41].